

The Louisville Journal on Law.
Our neighbor's talents and statesmanship are very great, but we cannot commend his law. In order to show that Messrs. Clements and Matlack were right, he first refers to the will case, and now, to mend the matter, refers to paying and grading in Louisville. This has about as much relevancy as our neighbor's arguments have to his holiness, *The Pope*.

Every type of law must know that corporations have to act strictly by their charter. The city of Louisville is a public corporation. The State of Kentucky has granted her certain powers. The city, not possessing plenary and sovereign power, can only act within the sphere granted her by the State, which is the sovereign. This proposition is too plain, perhaps, to be argued, even to the gentleman who edits the Journal, however dull he may be unfortunately. His party, which is far more capable of applauding his errors than seeing his abilities, may, and probably will, disagree with us. But the Journal seems to be entirely incapable of distinguishing one class of cases from another. We had thought that our refutation of his will case would make the lawyer—who must have more ability than information—rather careful in his future assertions of the law. He is still anxious, however, that the clerks should sign their names at the foot of every page, for the purpose of identification. But is the poll-book void without this signature? The statute makes no such assertion, nor does it make the only means of identification. In fact, no question of identity was raised; no one questioned that the book had been filed by the proper person. It had gone through all the proper processes of law, from the time it was delivered to the sheriff until it came into the hands of those officers appointed to compare the polls. They were found in the proper place, and it was the duty of these men, unless they chose to usurp authority, to act according to the law, plainly and clearly expressed. The books were in fair and good order. We showed in our yesterday's edition, what would be the effect of requiring the signature of this officer (the clerk) to be absolute proof. It is really making the number of ruled lines of a foolscap sheet, the evidence of the correctness of an election. We scarcely consider such a question worth discussion. Matlack and Clements knew that the books presented to them were the proper books, and no quibble can be made from the responsibility of having swindled the people of their rights.

We had intended to give a review of the law, and show in what manner a corporate body was different from individuals acting under the laws of the State, but the question is too plain and simple. We have already dwelt strongly upon the law of this case. There is not a respectable lawyer, that we know of, who does not entirely and fully agree with us in our premises and our arguments.

We have shown that Messrs. Clements and Matlack exceeded their authority. We are willing to excuse men on the ground of ignorance, but a "judge" has no right to that plea. To be ignorant, is to be criminal. The most sacred right of our Constitution was put in the hands of these two men, and after a careful examination of the law we are bound to conclude that they decided by their prejudices, and contrary to law. There may be special pleading in order to palliate even their errors, but there is no honest man who looks upon their decision as anything but an equivocation that men may tolerate as a decision, but not respect as an opinion.

Indeed we cannot sufficiently express our contempt for this unfortunate state of affairs, by which uninformed men, who have read no law, and to whom providence has refused ideas, are called upon to decide important questions. Magistrates in our city had already become a definition of legal ignorance, we had to learn that it meant official corruption. The people of Louisville must hold these men strictly accountable. The interests involved are too deep for negligence. They should have known the law. They did know that Mr. Bateman was elected—honestly and fairly. Governor Morehead and the Secretary of State decided a similar case in favor of a Democrat, but only men "clothed with a little bit of authority" are willing to overthrow justice and trample upon the letter of the law.

While we are unwilling to pursue these articles any further, we hold ourselves ready to prove the legality of every position we have held, and to show by the authorities, the justice and propriety of every step we have taken. It is time that the citizens of Louisville should read with carelessness, and regard with interest, everything that belongs to our city affairs, and we urge upon them to look upon this subject with that calmness that is, at least, above party prejudice.

77 The editor of the Journal held an election in his own columns yesterday morning. According to his returns, he shows that, if the vote had been properly counted, Bateman's majority over Thomas was sixty-two. But, with the sundry unwieldy twists and tergiversations of the special pro-vow of Matlack & Clements, if the returns of this precinct and that are thrown out, and if the returns of some others been can be got rid of, then, according to the Journal, Thomas ought to be elected!

The editor's private election returns may be very satisfactory to himself, and Matlack and Clements and Thomas; but there is scarcely one beside, in this district, who has any patience with such shuffling, and bobbing, and dodging.

78 One of the reasons alleged by the Journal, why Thomas should not decline receiving the certificate of election given him by Clement and Matlack, is, that his declining would render a new election necessary. The Journal, we believe, knows better. Bateman is entitled to the office, and Thomas, by declining the certificate, could not deprive him of his rights. If Thomas had declined the certificate, probably the legal board of examiners would have given a certificate to Bateman without delay. But Thomas' claim to the office under Clement and Matlack's certificate furnishes the members of the board with an excuse, if not a reason, for refusing to do what we are quite confident they will be compelled to do, by a writ of mandamus.

79 The lengthy letter dated yesterday published on the first page of the Democrat, yesterday morning, should have appeared as a communication, and been so marked. We do not publish anything in our columns, as editorial, that we cannot fully substantiate. The statements are our correspondents', not ours; and we do not give them as such.

80 Col. Sam Pike has bought the Hillsboro, Ohio, Gazette, a long-established Democratic paper, and will soon take charge of it as editor and proprietor. This makes the thirty-fifth paper Col. Pike has been connected with, and about the fiftieth change he has made.

A New Application of the Journal's Doctrine.
The editor of the Journal does not venture to deny that Mr. Bateman was elected by the people, nor that he is justly entitled to the office of Jailer. To defend the course of Mr. Thomas, it entrenches itself behind that gentleman's legal rights. Thomas was elected for the term of four years, and under a provision of the Revised Statutes. He is entitled to "hold his office until his successor has duly qualified." Bateman has not duly qualified. He cannot duly qualify, until he can get a certificate of his election from the legally constituted board, whose duty it is to compare the polls and issue certificates of election. He has used the gentlemen constituting that board, to compel them to perform that duty. Until he shall get a certificate of election, and execute bond, as required by law, he cannot evict Thomas from the office. The Journal contends, that Thomas, as a good citizen, is bound to let the law take its course; is bound to disregard Bateman's equitable rights and the wishes of the people, and to keep the office until his successor shall be duly qualified.

Be it so. Let Mr. Thomas' moral duty be measured by his legal rights. But let the same measure be applied to Judge Garland, presiding Judge of the County Court, Mr. Furness, County Attorney, Mr. May, County Assessor, and Mr. Johnston, Clerk of the City Court. Let the measure for Thomas be the measure for these gentlemen, and Bateman's friends, perhaps, will give the Journal some credit for honesty. Each of these gentlemen, under the above-cited provision of the Revised Statutes (p. 300), is entitled to "hold his office until his successor has duly qualified." No successor to either of them "has duly qualified." No successor to either of them "has duly qualified," under the certificates of Messrs. Matlack and Clements. These two gentlemen had no authority to issue the certificates. The authority belonged exclusively to the Judge and Clerk of the County Court and the Sheriff, if they, or any two of them, were able to act.

On the proper day for performing the duty, Judge Garland was both able and willing to act in all cases except his own; and we are reliably informed that Sheriff McGowan was also able to act in all cases except his own—that he was at the Court-house, and was neither drunk, sick, nor insane. Mr. Thurston, being sick and unable to attend, Judge Garland and Sheriff McGowan constituted the examining board. They, and they only, had power to issue certificates of election in all cases except their own. As they could not act in their own cases, the two Justices of the Peace residing nearest the Court-house had authority to compare the polls, and issue certificates between them and their competitors. But Clement and Matlack had no such authority. Clement and Lynn—not Clement and Matlack—were the two Justices residing nearest to the Court-house. Clement and Matlack had no more authority in the matter than Salva and Lycour, from whom, if they have descended, they have made a prodigious descent. Their certificates were null and void—no clearly so as if they had been issued by Victor and Jeffries. And it is well that it is so. We would expect more from the charity of Seylla and Charybdis, than from the justice of Clement and Matlack.

The people have chosen successors to Messrs. Garland, May, Furness, and Johnston, who are equitably entitled to the respective offices for which they were chosen; but not more clearly so than Mr. Bateman. True, Mr. Thomas has a legal right to retain the office of jailer until Mr. Bateman shall be duly qualified. But Messrs. Garland, May, Furness, and Johnston have the same right to retain their respective offices until their successors shall be duly qualified. Bateman, without any certificate, has the same right to his office which the other three candidates have to theirs, under the void certificates of Clement and Matlack. If Messrs. Garland, May, Furness, and Johnston should determine to hold their offices until legal and valid certificates shall be given to their successors, they have a right to expect that the Journal will defend them as zealously as it defends Mr. Thomas.

For the Louisville Democrat:
Louisville as it is.

The subscriber proposes to publish a book with the above title. It is a humiliating fact that our city is not known except in its immediate neighborhood; for while our sister cities have drawn up elaborate, costly, and frequent publications—setting forth their own claims, and have scattered these publications broadcast over the world, so that they are found on railroads, steamboats, in hotels, depots, and other public places, at almost every point in the Union, we have never even attempted anything of the kind; and, in this advertising age, he who publishes nothing is supposed to have nothing to publish.

We owe it to ourselves to let the world know how really rich Louisville is in all the elements of prosperity. This is all that is necessary to draw to our city thousands of manufacturers, mechanics, and merchants, who are now seeking locations for themselves. It is matter of surprise and mortification to our citizens—when they travel abroad—to see that Louisville, the city of their residence, possessing facilities far greater than most of those conspicuously posted up on the walls, tables, and counters of boats, hotels, and depots, and engrossing conversation and inquiry in every circle, should be unknown.

Surely we cannot consent to be behind our neighbors in this respect. Having repeatedly, but vainly, urged others to undertake the task, he has, at the instance of some of our business men—both merchants and manufacturers—concluded to attempt it himself. All seem to regard the present as a period of more promise to Louisville than any she has yet seen, and, if the returns of this precinct and that are thrown out, and if the returns of some others been can be got rid of, then, according to the Journal, Thomas ought to be elected!

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FOR THE HARVEST.
THE UNITED STATES PREMIUM
RAPE SEED, of my own
manufacture, with the improvement
J. H. MANN'S PATENT.
4 bushels 100 lbs. 40¢
5 " 125 " 45¢
6 " 150 " 50¢
7 " 175 " 55¢
8 " 200 " 60¢
9 " 225 " 65¢
10 " 250 " 70¢
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353 " 8825 " 1785¢
354 " 8850 " 1790¢
355 " 8875 " 1795¢
356 " 8900 " 1800¢
357 " 8925 " 1805¢
358 " 89

Close connections will be made by the 10:50 a. m. and 10 p. m. trains at Seymour, with trains on the Ohio and Mississippi R. R., for St. Louis, Mound City, Cairo, Jefferson City, Kansas, Quincy, and Keokuk.

The 6:30 a. m. and 10 p. m. trains run through to Indianapolis, and form close connections with trains on the Terra Haute, Lafayette, Peru, Bellefontaine, and Indiana Central Railroads, for all the principal cities in the East, West, and North.

The 6:30 a. m., 10:50 a. m., and 10 p. m. trains connect at Seymour with trains on the Ohio and Mississippi Railroad for Cincinnati.

The 10 p. m. train on Saturdays only goes to Seymour, where connections are made for Cincinnati and St. Louis.

One train on Sunday, at 10 p. m., running through to Indianapolis, connecting at Seymour for St. Louis and Cairo, also Cincinnati and the East, and at Indianapolis for the principal cities East, West, and North.

Only one change of cars between Louisville and Cincinnati, St. Louis or Chicago.

Baggage checked to all the principal cities. All changes of cars made by trains running into the same depot, thereby avoiding annoying Omnibus rides incidental to other routes leading from Louisville to the West and North.

Time as quick and fare as low as by any other route.

Through tickets and further information given at the Company's Office, No. 527 southeast corner of Main and Third streets, Louisville, Ky., or at the depot in Jeffersonville.

Police Court.—Elizabeth Rankin was brought before the City Court yesterday morning, on the charge of drunkenness and disorderly conduct. She was held to bail in \$100 for three months.

Philip Whelan and Pat Armstrong had been disorderly, and finally got into a fight. Armstrong was held to bail in \$100 to answer a misdemeanor, and Whelan went to jail.

A couple of peace-warrants were called; one dismissed, the other continued.

A jury was called to decide upon the case of R. C. McDonald, and their verdict was that he was not a lunatic.

A furniture dealer in Cincinnati, named S. J. John, had his brains blown out accidentally, yesterday. He was about to shoot a bird, and was blowing in the barrel to see if it was loaded, the trigger being drawn, when a favorite dog ran up, and striking the trigger with his paw, discharged the contents into the unfortunate man's head.

The Journal has been for several days endeavoring to prove that Messrs. Clement and Matlack have the implied right to ascertain the identity of the polls they are to compare. Suppose this was so (which it is not, as we have already shown), that they are, or are they, say that they then or now believe the Third Ward polls, which they rejected, are not the identical polls taken on the election day in that ward? If not, what becomes of their honesty and impartiality in rejecting these polls, and thus electing Mr. Thomas?

CAUTION.—Every article of genuine merit and high reputation is subject to extensive and gross counterfeits. Many years since, Messrs. Lea & Perrins, of Worcester, England, introduced their famous Worcestershire Sauce to the American public, through their Agents, Messrs. John Duncan & Sons, of New York, and it is doubtless the finest sauce extant. Unprincipled parties are now making and vending spurious articles, put up in style as nearly as possible to resemble the genuine. Purchasers will do well to see that the names of Lea & Perrins (observe the spelling) are upon the Wrapper, Label, Stopper, and Bottle, and the name, John Duncan & Sons, New York, on the Red Label.

A friend of ours informs us that the statement, upon the first page of the Democrat of yesterday, to the effect that N. Goodwin was driven away from the Sixth Ward polls by Dr. Standford, does him injustice. He states that Mr. Goodwin did vote—that Standford went with him to the polls. We make this statement to correct the error of our correspondent.

The letter going the rounds of the Know-Nothing and Black Republican press, purporting to be from President Buchanan to Hon. W. H. English, turns out to be a forgery. The Washington Daily States denies the authenticity of the letter.

We call the attention of city and country dealers to the card of Messrs. Lewis & Wilkes. This is an old-established house, and the gentlemen are well known as polite and courteous dealers. Their stock embraces everything in their line. Give them a call.

The New York Herald claims to have been the first to announce the success of the Atlantic Telegraph. Its success is a stupendous item, but the announcement of the fact two minutes sooner or later, was a matter of little consequence to the world.

There is a decidedly belligerent feeling in this community, among some of the rampant friends of law and order. We suggest that the weather is entirely too hot for any such physical demonstrations.

The last item of the age is, that the New York Herald, a paper always scurrilous and abusive, in commenting upon a piece of pleasantry in the New York Post, says that "the article was a coarse, disgusting, and miserable attempt at wit." Will that pluck of newspaper gentility, the New York Herald, exercise its functions to produce nothing worse?

"THE STAFF OF LIFE."—As we lean upon this staff, which does so much towards supporting life, it is necessary it be produced of good quality, or it will prove but a broken reed. Observe the advertisement in another column, of Hurley's quick yeast.

OUT OF ORDER.—We are requested to call the attention of the pump inspector of the eastern district, to the pump at the corner of Second and Gray streets.

BASE BALL.—There will be a match at Base Ball at 5 1/2 o'clock this afternoon, between the first and second nines of the Louisville Base Ball Club, at their grounds, corner of Fourth and Kentucky streets. The club will be pleased to see present all the lovers of this interesting game.

Don't Do It.—Persons who eat melons, peaches, etc., are too apt to throw the rinds and skins upon the sidewalk. Don't do it. Broken bones and bruised limbs may result from such carelessness.

Godey's Lady Book for September, has come to hand—a very good number.

News from Utah Territory.

The Utah correspondent of the New York Times writes a very interesting letter, from which we make the following extracts:

THE PEACE PALLADIUM.—The Commissioners presented a dignified silence while in regard to their own impression of the people; but if I am skilled in observing the people, I can tell you that they both left this city with a sentiment of profound disgust. I predict that in their personal report to the President, they will assure him that the present peace is faltering, and that this community is not likely to be good and safe citizens of the United States. They know full well that the people here have a higher regard for the law of the church than that of the Union, and that all their protestations of love for the Constitution are idle whenever Brigham's edicts stand in the way. They need not investigate specifically the many charges laid to the door of this people—but do not doubt that if they are induced to express themselves at all upon the subject, they will admit their belief that they are capable of the Jesuitical system of crime, long laid to their charge. It will be remembered, however, that I speak not in authority, but express only my own convictions as to the views of the Commissioners.

ADMISSION OF UTAH INTO THE UNION. Brigham and his people are very anxious for admission into the Union, and are exerting every effort now to accomplish that result. It is their last card, if I mistake not, for abandonment of the cause of the Confederacy. They maintain that it is their constitutional right to be admitted, and they desire it, so that they can make a law legalizing polygamy, and hence within the charmed circle of "States Rights." They do not admit for a moment that Congress can impose any condition upon their admission prohibiting polygamy. It may be well just here to examine this question; and I suggest for consideration the proposition that the framers of the Constitution, in granting to Congress the power to admit new States, necessarily conferred it subject to the restriction that a State applying for admission should be a social organization assimilated to, and in harmony with, that existing at the time of the adoption of the Constitution. The compact between the State forming the Union was based upon the existing state of facts, and not upon the recognition of polygamy as a "domestic institution," which we shall not consider when Utah applies for admission. The same argument is a sufficient answer to the Mormon argument, which holds that the President, by his proclamation, has pledged the Government not to interfere in any way with the "domestic institution" of polygamy. Again, Utah is not an affluent population to entitle her to State Government. The city of Provo, when I visited it, contained a large proportion of the people of this city and Ogden, the only large settlements in the Territory; and yet I do not believe there were over 20,000 persons at Provo. That, certainly, is the very highest figure to be accorded them. Taking that as a basis, the entire Mormon population does not exceed 35,000 souls, and intelligent army officers, who have experience in making such estimates, place the number at not to exceed 30,000.

THE POLYGAME INSTITUTION. The arrival of returning families present us with a new view of the system of polygamy—but, by no means, a satisfactory view to superficial observation. The plurality wives, so much boasted of, are in fact, the very lowest of the class, and meet their husbands with a restrained, unconfiding air, which, I should suppose, would be exceedingly unpleasant to a man of heart or refined sensibility. The husband, who is well admitted, does not press closely, that their wives do not love each other, or agree like sisters; but this they ascribe to the difficulty of overcoming the proneness of all flesh to evil, and to the fact that, as a natural consequence of polygamy, the husband is marked that he had two wives, who could not be separated, and that he did not see how any man was able to get along with only one!

The people are no ways backward about discussing the subject, and they do not shrink from discussion of a stranger, or offend in their ability to demolish every Gentile argument against polygamy. One of the gentry tackled Governor Powell, the other day, determined to win. The Governor, at first, declined discussion, but his companion insisted upon proving, by the Scriptures, that he was in great error to be living without any wife, and that it was the duty of a well-served man of God to take a half dozen at least. The Governor at last consented to listen. Mr. Mormon cited Solomon as one of the wisest and best of men, and presented the fact that he had seven wives, as an answer to the question he had asked in response: "You depend upon Solomon's example, do you, as the sage of your youth?" "Certainly," was the ready response. "Well," continued the Governor, "Solomon was a very wise man, and he was a great ruler. According to the text you have quoted, Solomon had 700 wives and 300 concubines. Now, where's your concubine?" The polygamist was floored, and abandoned the discussion.

Gov. McWillie has issued his proclamation calling an extra, or rather an extraordinary, session of the Mississippi Legislature, to meet at Jackson, on the first Monday in November next. The condition of this State is the chief motive assigned by the Governor for convoking the Legislature. The floods of this disastrous year have broken down the barriers, raised with so much labor, and at such cost, and have turned the richest portion of the State into a melancholy waste. Millions of property have been wrecked; and, it is computed, one-third of the territory of the State is exposed to these annual disasters.

Cattle are dying off at a fearful rate in Brooklyn and Parma, Ohio. A strange disease has broken out among them, and nobody knows what it is. In Parma, the other day, a man was badly poisoned in skinning a cow that had died of this singular disorder. His right hand became so inflamed and swollen that it was feared he would have to suffer amputation.

A sale of furs took place at St. Paul, Minnesota, on the 34th ult., at which buyers attended from New York, Philadelphia, and Chicago. Mr. L. C. Mayer, of New York, took the lot at \$15,649.68 cash. The furs consisted of black, silver, red, and kit fox, marten, mink, fisher, bear, badger, lynx, wolf, racoon, (only four), swan, skunk, wolverine, beaver, and muskrat—in all amounting to eighteen thousand seven hundred and forty skins.

Richard Burkham and Wm. Long, a couple of teamsters in Corvinton, driving in opposite directions, came in collision, and the result was, that Long stabbed the other in the abdomen; wound dangerous, but not fatal.

There is a piece of the Atlantic cable, about a foot long, at the drug store of T. E. Jenkins & Co., corner of Third and Walnut, where the curious can call and see it.

Yesterday morning, between twelve and one o'clock, a fire was discovered in a wood-shed between Center and Sixth, and Walnut and Chestnut, but by timely efforts, was extinguished with but little damage.

The alarm last evening was in response to an alarm in Jeffersonville.

There are many who express astonishment at the conduct of Messrs. Matlack & Clement. Their decision may readily be accounted for. Sam, in his potent majesty, placed them in power, and they must do his bidding. The good book has told us that "he of whom the owner, the ass his master's crib," &c.

We hear it stated that there is much sickness in the city at present. The intensely hot weather and the filthy condition of the streets promote it.

That delightful country seat of Mr. John Fonda is to be sold this day, at 1 o'clock, p. m. The sale is pre-emptory, at Mr. Fonda is removing to the South for the improvement of his health. This is surely a rare chance to secure a beautiful, rich, well-improved country seat.

Daily Markets.

All descriptions of merchandise printing done at this office, rapidly, and reasonably.

OFFICE OF THE DAILY LOUISVILLE DEMOCRAT. FLOUR AND GRAIN.—Sales 275 bushels flour at \$4.20; 175 bushels corn at \$1.15; 100 bushels wheat at \$1.25; 50 bushels oats at \$1.00; 25 bushels barley at \$1.10; 10 bushels rye at \$1.20; 5 bushels clover at \$1.50; 2 bushels timothy at \$1.80; 1 bushel alfalfa at \$2.00; 1/2 bushel vetch at \$2.50; 1/4 bushel sainfoin at \$3.00; 1/8 bushel lucerne at \$3.50; 1/16 bushel vicia at \$4.00; 1/32 bushel vicia at \$4.50; 1/64 bushel vicia at \$5.00; 1/128 bushel vicia at \$5.50; 1/256 bushel vicia at \$6.00; 1/512 bushel vicia at \$6.50; 1/1024 bushel vicia at \$7.00; 1/2048 bushel vicia at \$7.50; 1/4096 bushel vicia at \$8.00; 1/8192 bushel vicia at \$8.50; 1/16384 bushel vicia at \$9.00; 1/32768 bushel vicia at \$9.50; 1/65536 bushel vicia at \$10.00; 1/131072 bushel vicia at \$10.50; 1/262144 bushel vicia at \$11.00; 1/524288 bushel vicia at \$11.50; 1/1048576 bushel vicia at \$12.00; 1/2097152 bushel vicia at \$12.50; 1/4194304 bushel vicia at \$13.00; 1/8388608 bushel vicia at \$13.50; 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